

Exhibit 374

PART 11

United States of America ex rel. Ven-A-Care of the Florida Keys, Inc., et al.
v. Dey, Inc., et al., Civil Action No. 05-11084-PBS

**Exhibit to the August 28, 2009 Declaration of Sarah L. Reid in Support
of Dey's Opposition to Plaintiffs' Motion for Partial Summary Judgment**

- II. Therefore, I am an "*alien*" with respect to the federal "*United States*." I am described in the 26 U.S.C. § 865(g)(1)(B) as a "*nonresident alien*" of the "*United States*." I am therefore, as described in 26 C.F.R. §1.1871-2 and 26 U.S.C. §7701(b), a "*nonresident alien*" with respect to the "*United States*" and am outside the general venue and jurisdiction of the "*United States*."
- III. I am presumed to be a "nonresident alien" in Title 26 U.S.C. §1.871-4, the Internal Revenue Code (IRC); however, NOT the same "nonresident alien" defined within the IRC pursuant to Title 42 U.S.C. §411(b). My income is NOT derived from sources "within the federal United States," nor am I effectively connected with the performance of the functions of a public office "within the United States." My wages are part of my "foreign estate" pursuant to Title 26 U.S.C. § 7701(a)(31). [Note the "Right to Property" clause of the Fifth Amendment]
- IV. I do not live "*within*" the geographical area of exclusive federal jurisdiction as defined in the Federal Land Area Chart. I do not live "*within*" ANY of the ten, regional federal areas, territories, or enclaves identified by the numerical, postal zip code. I am a "*nonresident alien*" outside both general and tangential venue and jurisdiction of Title United States Code (U.S.C.). I am also NOT a "*resident*" of the incorporated "*State of Colorado*" as it is also under the jurisdiction of the federal "*United States*."
- V. I do hereby certify and declare that I am a citizen of the Empire Washitaw De Dugdah Mound Ya. I am a "*natural born Citizen*". I am NOT subject to the federal, state, local and municipal governments. I have NOT voluntarily or intentionally waived, with ANY "*knowingly intelligent acts*" ANY of my unalienable rights, and have utterly NO intention of doing so in the future.
- VI. THAT, this Affidavit is an [Indigenous] Moorish American National and Land Assignee of the Washitaw nation of Muurs, via The Republic of Commonwealth Virginia. His property is **NOT** a commercial piece of Property and must **NOT** be classified as such.
- VII. THAT, this Affidavit if not rebutted point for point by any man or woman, representing the **State of Colorado** and/or any "STATE OF" at any level, in any matter, at any time within seven (7) days upon receipt, these facts stand as true in the both the private and public record... as true. NOTE: Maxim of Law; 1. In Commerce—Truth is sovereign. 2. For a matter to be resolved, it must be expressed. Point of Law—Silence equates to agreement.

EXPRESS NOTICE OF WAIVER OF TORT TO ALL WHO TRESPASS

Trespass upon either the Issuer of this binding Private Bond Instrument by any actor, agent or representative of a government entity or its subdivision, acting under color of law outside the accepted forum, shall constitute an agreement of \$2,000,000.00 compensation for each injury, occurrence of breach, or trespass on rights or property. Additionally, all Trespassers shall agree to pay \$65,217 per hour of involuntary servitude, coerced incarceration, coerced detention, or coerced booking. Performance by conduct is acceptance. This is an implied contract and attaches only upon the actors, agent, or representative, who by their conduct elect to enjoin this contract. If by your conduct you elect to contract, Michael-Todd: Ricks-Bey, shall be appointed Third Party Intervener, with limited power of attorney to execute the remedy within this instrument. This power of attorney is a right coupled with an interest and is irrevocable as granted without course to all who trespass.

ALL PERSONS, EMPLOYEE, AGENTS, AND OFFICERS OPERATING UNDER ORDERS OF THE PRESIDENT OF THE UNITED STATES, UNITED STATES SECRET SERVICE, UNITED STATES DEPARTMENT OF THE JUSTICE, INTERNAL REVENUE SERVICE, DEPARTMENT OF JUSTICE, STATE OF COLORADO DEPARTMENT OF REVENUE, ALL MUNICIPAL COURTS, DOUGLAS COUNTY DISTRICT ATTORNEY, 18TH JUDICIAL DISTRICT COURT DOUGLAS, COLORADO, COLORADO STATE PATROL, DOUGLAS COUNTY SHERIFF DEPARTMENT, DOUGLAS COUNTY POLICE DEPARTMENT AND DOUGLAS COUNTY COURT, who commit injury by trespass upon the living man, Michael-Todd: Ricks-Bey under color of law without evidence of a signed contract or damaged party, or lawful order and verified assessment will cause attachment of this **EXPRESS NOTICE OF WAIVER OF TORT**. Continued proceeding in trespass shows acceptance of this Contract and provides evidence of your intent to implement the terms of the **EXPRESS NOTICE OF WAIVER OF TORT** and affix said lien(s)

Executed this 28th day of August, 2008 A.D.

Respectfully Submitted

Without Prejudice UCC 1-308, UCC 1-103.6,
Authorized Representative, Attorney-In-Fact

Michael Todd Ricks-Bey
Michael Todd Ricks-Bey©, Secured Party Creditor
Authorized Representative, Attorney-In-Fact in
Behalf of the Debtor MICHAEL TODD RICKS, ENS LEGIS



INDIGENOUS WASHITAW MOORISH AMERICAN: U.S. 923/1802 & U.N. IPO 215/93

**U.S. NON-CITIZEN AMERICAN NATIONAL AND NON-RESIDENT ALIEN
UNITED STATES LAWS AFFIRMING RIGHT TO CITIZENSHIP AND NATIONALITY**

15 Stat. 223-224 (1868); R.S. §1999, 8 U.S.C. §800 (1940); United States v. Cruikshank, 92 U.S. 542 (1875.) American/ U.S.A. National 54 Stat. 1137, Section 101(a)(3)&(38), Section (a)(21)-(22). [PL 94-241; 90 Stat. 623, at Section 3; 100 Stat. 843, August 27, 1986]. The Nationality Act of 1940, 8 U.S.C. Section 1101(21): [U.S. Non-Citizen] 8 U.S.C. 1452(b)(1)(2) & 8 U.S.C. 1502(a), Section 1452(a)(b) &(c); PL 99-396, 16(c). 26 C.F.R. §7701(11), 39 F.R.52 (March 14, 1974); 26 C.F.R. § 301.6109(a); 26 U.S.C. § 3402(n)-1, 26 C.F.R. §31.3402(n)-1, 26 C.F.R. § 3402(f)(2)-1, 26 C.F.R. §1.1441-3. [Non-Resident Alien] [8 Stat. 200, Article III & VI (1803)] Washitaw de Dugdyahmoundyah

Illinois Tax Exemption E 9939-0647-01
IRS: Exception 17053-290-74400-4
Moorish Science Temple EIN 56-2473981

[Non-Resident Alien] [8 Stat. 200, Article III & VI (1803)]
Louisiana Treaty of 1803 [8 Stat. 200, Article III & VI]
In-Care-Of: Washitaw Nation of Muurs, Illinois

TO ENSURE THAT THE RIGHTS OF SOVEREIGN TRIBAL GOVERNMENTS ARE FULLY RESPECTED

The United States Government has a unique legal relationship with the Native American tribal governments as set forth in the Constriction of the United States, treaties, statutes, and court decisions [U.S. Land Grant No. 923 in the name of "the Washitaw," Spanish Certificate of June 20, 1779; Plan. 1518; Register No. 3, April 12, 1802]

RE: U.S. Government to Indigenous Government Relations
A Directive Superceding Previous Treaty Authority
Executive Memorandum of April 29, 1994
Signed by President Bill Clinton

- Purpose: To clarify our responsibility to ensure that the Federal Government operates within a government-to-government relationship with federally recognized Native American tribes . . . working relationship reflecting respect for the rights of self-government due the sovereign tribal governments.
- Principles:
- (a) The head of each executive department and agency shall be responsible for ensuring that the department or agency operates within a government-to-government relationship with federally recognized tribal governments.
 - (b) Each executive department and agency shall consult, to the greatest extent practicable and to the extent permitted by law, with tribal government prior to taking actions that affect federally recognized tribal governments. All such consultations are to be open and candid so that all interested parties may evaluate for themselves the potential impact of relevant proposals.
 - (d) Each executive department and agency shall take appropriate steps to remove any procedural impediments to working directly and effectively with tribal governments on activities that affect the trust property and/or government rights of the tribes.
 - (f) Each executive department and agency shall apply the requirements of Executive Orders Nos. 12875 ("Enhancing the Intergovernmental Partnership") and 12866 ("Regulatory Planning and Review") to design solutions and tailor Federal programs, in appropriate circumstances, to address specific or unique needs of tribal communities.

MICHAEL TODD RICKS-BEY

Print Name: U.S.A. American and Washitaw National
Indigenous Washitaw-Nationals, U.N. #215

Michael Todd Ricks-Bey
Sovereign Washitaw, Without Recourse: 8 USC 1408; 15 Stat 223
UCC 1-308 and UCC 1-103.6; 28 CFR 16.4(d); 28 USC 1746(1)

A CESTUI QUE TRUST-INDENTURE AGREEMENT BETWEEN SOVEREIGN PRIVATE PARTIES
U.S. Land Grant No.: 923 [Certificate: June 20, 1797; Plan No. 1518; Register No. 3, April 12, 1802]

Louisiana Treaty of 1803 [8 Stat. 200, Article III & VI]

Moorish Science Temple EIN: 56-2473981

Congressional Act Bill No.:	252	April	10,	1816.	14 th Congress
Congressional Act Bill No.:	253	February	10,	1817.	14 th Congress
Congressional Act Bill No.:	325	December	12,	1820.	16 th Congress
Congressional Act Bill No.:	329	January	22,	1821.	16 th Congress

LEGAL NOTICE: FEDERALLY PROTECTIVE RIGHTS
DENIAL OF CONSTITUTIONAL RIGHTS UNDER COLOR OF LAW
[PL 93-579 SECTION 7, 5 U.S.C.A. §552(a); 18 U.S.C. §241 & §242; 42 U.S.C. §1983 & §406.8]

VERIFICATION

Washitaw Nation of Muurs)
 united States of America)
 Republic of Colorado) SS VERIFIED DECLARATION
 County of Kit Carson)

I, Michael Todd Ricks-Bey©, Declaration herein, one of the Private People in the Washitaw Nations of Muurs, De Dugdh Mound Ya and Commonwealth of Virginia Republic, one of The United States, of America, a union of republic states under penalties of perjury under The Laws of The United States of America and of the Colorado Republic, that Declarant is competent to be a witness and that the facts contained herein are true, correct, complete, and not misleading, to the best of Declarant's personal knowledge and belief, made voluntarily and intentionally for the purpose stated.

As a Notary Public for said County and State, I do hereby certify that on this 28th day of August, 2008, that A Natural Person whose Indigenous name is Michael Todd Ricks-Bey©, the above mentioned, appeared before me and executed the foregoing. Witness my hand and seal:

Without Prejudice UCC 1-308, UCC 1-103.6
 Authorized Representative, Attorney-In-Fact

181 Michael Todd Ricks-Bey
 Michael Todd Ricks-Bey©, Secured Party-Principal
 in behalf of the Debtor, MICHAEL TODD RICKS©,
 JURISTIC PERSON, ENS LEGIS
 By Special Appearance Pro Per



My Commission Expires 12/04/2010

Gloria Lamle Seal
 Notary Public
 My Commission Expires: 12/04/2010

NOTE: Using a Notary on this document or any other document does not constitute any adhesion contract, nor does it alter my status in any manner. The purpose for Notary is verification and identification only and not for entrance into any foreign jurisdiction, a benefit for the Pagans and Heathens so they whom I pray may become knowledgeable in the truth for the Law by our Holy Father and repent, so they will no longer be alienated from their true God-Allah.

VERIFIED NUNC PRO TUNC AT LAW & PUBLIC NOTICE REVOCATION

Washitaw Nation of Muurs)
 united States of America)
 Republic of Colorado) ss.
 County of Kit Carson)

ACKNOWLEDGMENT

Pursuant to title 28, U.S.C. §1746(f) and 28 U.S.C. §1641(d), executed "without the United States," I, Michael-Todd: of the Ricks-Bey® Tribe/Family, being first duly sworn accordingly in law, being of age to contract. Declarant herein, one of the Private People in the State of Colorado, one of The united States, of America, a Union of republic States under the penalties of perjury pursuant to The Laws of The united States of America and of the state of Colorado Republic and/or any "STATE OF", that Declarant is competent to be a witness and I affirm under penalty of perjury under the United Nations International Laws that the foregoing is true and correct, to the best of my belief and informed knowledge. I now affix my signature and official seal to all of the ongoing affirmations with EXPLICIT RESERVATION OF ALL MY INALIENABLE RIGHTS WITHOUT PREJUDICE to any of those rights pursuant to U.C.C. 1-308 and U.C.C. 1-103.6.

Indeed, no more than (affidavits) is necessary to make the prima facie case. United States v. Kis, 658 F.2d 526, 536 (7th Cir. 1981); Cert. Denied, 50 U.S. LW. 2169; S. Ct. March 22, 1982.

I, Michael Todd Ricks-Bey®, hereinafter "Affiant," a living, breathing, flesh-and-blood, sentient Moorish American National "real" man, being first duly bound in conscience by deeply held spiritual convictions to perform faithfully and truthfully; *corpore et animo*, sealed by and under authority of Affiant's own hand and Prerogative Instance In law, having first hand knowledge of the facts contained herein, do DECLARE and ATTEST the following facts are true, correct, complete, and not meant to mislead to the best of Affiant's knowledge and conviction.

In Commerce, everything must be stated in Truth. I, Michael Todd Ricks-Bey, a sovereign, a Private Person, a Living Soul, a Creditor, Claimant, and Secured Party and NOT a STATUTORY PERSON upon the land Colorado, a Republic in the county called Burlington, do hereby solemnly declare, say, and date. 1) Secured Party is competent for stating the matters set forth herewith; 2) Secured Party has personal knowledge about the facts stated herein; 3) Everything stated in this TRUTH AFFIDAVIT is the Truth, the Whole Truth, and nothing but the Truth and all stated is true, correct, complete, and not misleading. NO THIRD PARTIES ALLOWED

PLAIN STATEMENT ABOUT THE FACTS: a) For Resolving a Matter it must be expressed b) In Commerce Truth is Sovereign; c) Truth is expressed in the Affidavit Form; d) An Unrebutted Affidavit stands as Truth in Commerce; e) An Unrebutted Affidavit becomes the judgment in Commerce; f) A Truth Affidavit, under Commercial Law, can only be satisfied by a Rebuttal about the Truth Affidavit, by payment, by agreement, by resolution by a jury according by the rules for Common Law.

A LAWFUL CONTRACT has: 1) Offer; 2) Consideration; 3) Acceptance by all Parties for the Contract and; 4) The Signatures by all Parties involved with the Contract. Only the Parties signing the Contract can participate in the discussion of the Contract. Full disclosure about the CONTRACT is imperative.

STATEMENT OF FACTS

That I, Michael-Todd of the Ricks-Bey® Family/Tribe, hereafter Michael-Todd: Ricks-Bey, a living breathing man, being first duly sworn, depose and say and declare by my signature that the following facts are true correct and complete to the best of my knowledge and belief. And not meant to mislead. I am not: a created entity, a corporation, a British subject, a subject of the British Isles, a citizen of England, British Commonwealth subject, a citizen of the UNITED STATES, a citizen of America nor a resident of any land. also declare that I Am a free and sovereign Muur of this land of the ancient mound builders, known by its indigenous name Empire Washitaw De Dughd Mound Ya. I willingly and knowingly exercise my right to a Nationality as a member of the indigenous Empire Washitaw Nation: Empire Washitaw De Dughd Mound Ya. I further reserve all of my fundamental freedoms and Allah-given rights of every human being upon this earth.

Any and all, past and present political affiliations implied by operation of law or otherwise with foreign entities are hereby, now and forever, dissolved and revoked. I am a {Indigenous Moorish American National and land Assignee of the Washitaw Nation of Muurs, via The Republic Commonwealth of Virginia. My property is **NOT** a commercial piece of property and must **NOT** be classified as such.

NOTICE: This affidavit is intended to clarify that affiant's true Citizenship Status by way of Memorandums of law that clearly establishes **Michael-Todd: Ricks-Bey** Status as a Union State of **Virginia Commonwealth Republic** Citizen and de jure Citizen for the Union States known as the united states of America.

IT IS IMPORTANT to file and/or refute this Affidavit, which contains truths and laws of the land.
FAILURE TO REFUTE IS DEEMED ACCEPTANCE.

PREAMBLE

I, **Michael-Todd: Ricks-Bey** Am a competent man of lawful age to create and enforce this Affidavit with first hand knowledge of the facts addressed herein. I Am also is a Free Sovereign natural born indigenous individual and Citizen of the indigenous Nation of this land of the ancient mound builders, known by its indigenous name Empire Washitaw De Dugdh Mound Ya, in the **Virginia Commonwealth Republic** and as such, in the united states of America hereby to make this Special Appearance, neither conferring nor consenting to any foreign jurisdictions, except to the common law power of the State of Colorado and/or the united states of America.

As such, **Michael-Todd: Ricks-Bey**, sui juris, willfully enforces All Constitutional limitations and restraints respectively on All Government Agencies when addressing with any government department, wherefore the undersigned Affiant named herein and above, upon affirmation declares and evidences the following memorandum notes:

1. Affiant is a living, breathing, flesh and blood, son of Allah by the Allah given birth-name of **Michael Todd Ricks-Bey**, by right of heritage and inheritance of the **Virginia Commonwealth Republic**, protected by hereditary succession by all predecessors previous contracts with government as found in the *Northwest Ordinance of 1787*, the Moorish American **Zodiac Great Seal Constitution**, the *Organic Act*, of 1849, the *Original Constitution* of Virginia Commonwealth Republic, the *Article of Confederation of 1777*, the **Treaty of Peace and Friendship** between the United States of America and Morocco of 1787 A.D., 1207 M.C., the *Constitution for the united states of America (1787) including it's preamble*, and the *Bill of Rights (1787) including it's Preamble*. As such I retain all my unalienable rights granted by God in positive law, that is embodied in the *Declaration of Independence (1776)* and bringing rights upon myself and my parentage, on this day and for all time now and hereafter. And further;
2. That **Michael-Todd: Ricks-Bey**, as a free Moorish-American natural born Inhabitant in the united states of America, in the **Virginia Commonwealth Republic state Republic**, and as a freeman am endowed by our Creator with numerous unalienable/inalienable rights which include but are not limited to my rights to "life, liberty, and pursuit of happiness (property)", which rights are specifically identified in the *Magna Charta (1215)* and the *Declaration of Independence (1776)*, and protected and secured by the *Constitution for the united states of America (1787)*, and subsequent *Bill of Rights, in Amendment I thru X (1 thru 10) (1789)* that my birthright to life, liberty and the pursuit of happiness has been interpreted by both the Framers of the Constitution and by the U.S. Supreme Court to include my unalienable right to contract, to acquire, to deal in, to sell, rent, and exchange properties of various kinds, real and